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## Report to Planning & Zoning Commission

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Clay County, Missouri

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**Case Number**                      **July 12-113F**

**Case Type**                        **Final Plat (Minor Subdivision)**

**Project Name**                    **Tranquil Acres**

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**Applicant/Owners**              Russell, Fred, and Eldon Walter, representing Real Beef, LLC  
1251 NW Briarcliff Parkway, Suite 120  
Kansas City, MO 64116

**Request**                            **Final Plat (Minor Subdivision)** approval of Tranquil Acres

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**Application Submittal**            2012-06-04

**Public Notice Published**        N/A

**Neighbor Letters Sent**           2012-06-19

**Report Date**                        2012-06-29

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**REPORT AUTHOR(S)**            Debbie Viviano, Planner  
Matt Tapp, Director

**Recommendation**              APPROVAL with conditions



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Clay County, Missouri

## General Information

**Site Location:** Approx. 17400 Plattsburg Road  
Section 18 | Township 53 | Range 31

**Site Size:** 21.06± Acres

**Existing Landuse & Zoning:** Agricultural (AG)

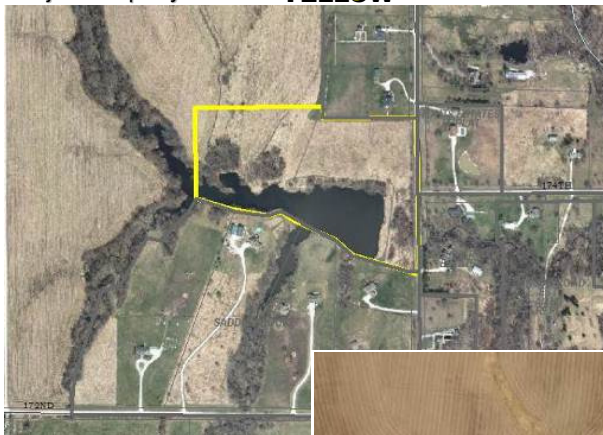
**Zoning/Platting History:** None.

### Surrounding Landuse & Zoning:

- North – AG Zoned Land, Saddlebrooke (R-1A), Elcinata Downs 1<sup>st</sup> Plat (R-1)
- East – AG Zoned Land, Henson Road Estates (R-1), Western Way & Company (R-1)
- South – Agricultural (AG) Zoned Land, Northwest Territory (R-1), Saddlebrooke II (R-1A)
- West – Agricultural (AG) Zoned Land, Smithville Lake Reservoir, Hartell Estates (R-1A)

### Current Conditions:

Subject Property Lines = **YELLOW**



Courtesy Microsoft® Bing™





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## Assessment

Russell, Fred, and Eldon Walter, representing Real Beef, LLC are requesting **Final Plat** approval for Tranquil Acres approximately 21.06± acres located at approximately 17400 Plattsburg Road. The property owners would like to divide the land to create one (1) new single-family dwelling lot from an existing approximately 180-acre parcel.

### Character of the General Neighborhood

Agriculturally (AG) zoned property is in each direction of the property. The Smithville Lake Reservoir and Hartell Estates (R-1A) are to the west. Several R-1 zoned subdivisions are to the east. Northwest Territory (R-1A) and Saddlebrooke II (R-1A) are to the south. Saddlebrooke (R-1A) and Elcinata Downs 1<sup>st</sup> Plat (R-1) are to the north [See Attachment B].

### LDC Considerations

The review procedures and submittal content for Tranquil Acres must follow the Minor Subdivision requirements in Section 151-3.5 of the Clay County 2011 Land Development Code ("LDC"). Based on all the materials and evidence presented, the subject request *appears to substantially comply with the LDC and preliminary plat*.

Standard side and rear setbacks and height restrictions apply to all other aspects of this application. The application was properly noticed, per regulations. Adjacent property owners within the mandated 1,000 foot distance were notified by means of a letter dated June 19, 2012.

### Outside Agency Review

The Clay County Highway Department has noted they have permitted a driveway access for the proposed lot. The Clay County Health Department has given final approval. The City of Lathrop would be able to provide water for the property. The Kearney Fire District serves the property.

The existing pond structure has been inspected by the Clay County Soil and Water Conservation District but their report has not been submitted as of the writing of this report.

## Findings

The existing pond on the south side of the subject property has restrictions for its use by the property owners located within Saddlebrooke II as established by the Declaration of Covenants, Conditions and Restrictions document recorded with the Clay County Recorder of Deeds on April 15, 1998, document# N86336.

The applicant and owner (Real Beef, LLC) has requested a waiver of the Road Impact Fees (RIF) required for the new proposed lot pursuant to Section 151-9.13 (3) of the LDC, which states: "The conveyance of 1 parcel to a family member for the purpose of constructing a single-family house. A maximum of 1 conveyance shall be permitted within a 5 year period". The new lot is to be conveyed to Russell Walter, family member to the other members of Real Beef, LLC.

## Recommendations

Staff recommends the **Final Plat** of Tranquil Acres be **approved**, with the following conditions as shown on Exhibit A:

### Exhibit A

1. If the waiver is **not approved** for the Road Impact Fee (RIF), a RIF agreement must be recorded and fees paid for the lot prior to the recording of the final plat.
2. Inspection and approval of the existing dam structure before recording of the final plat.
3. The following changes to the recording copies of the final plat:



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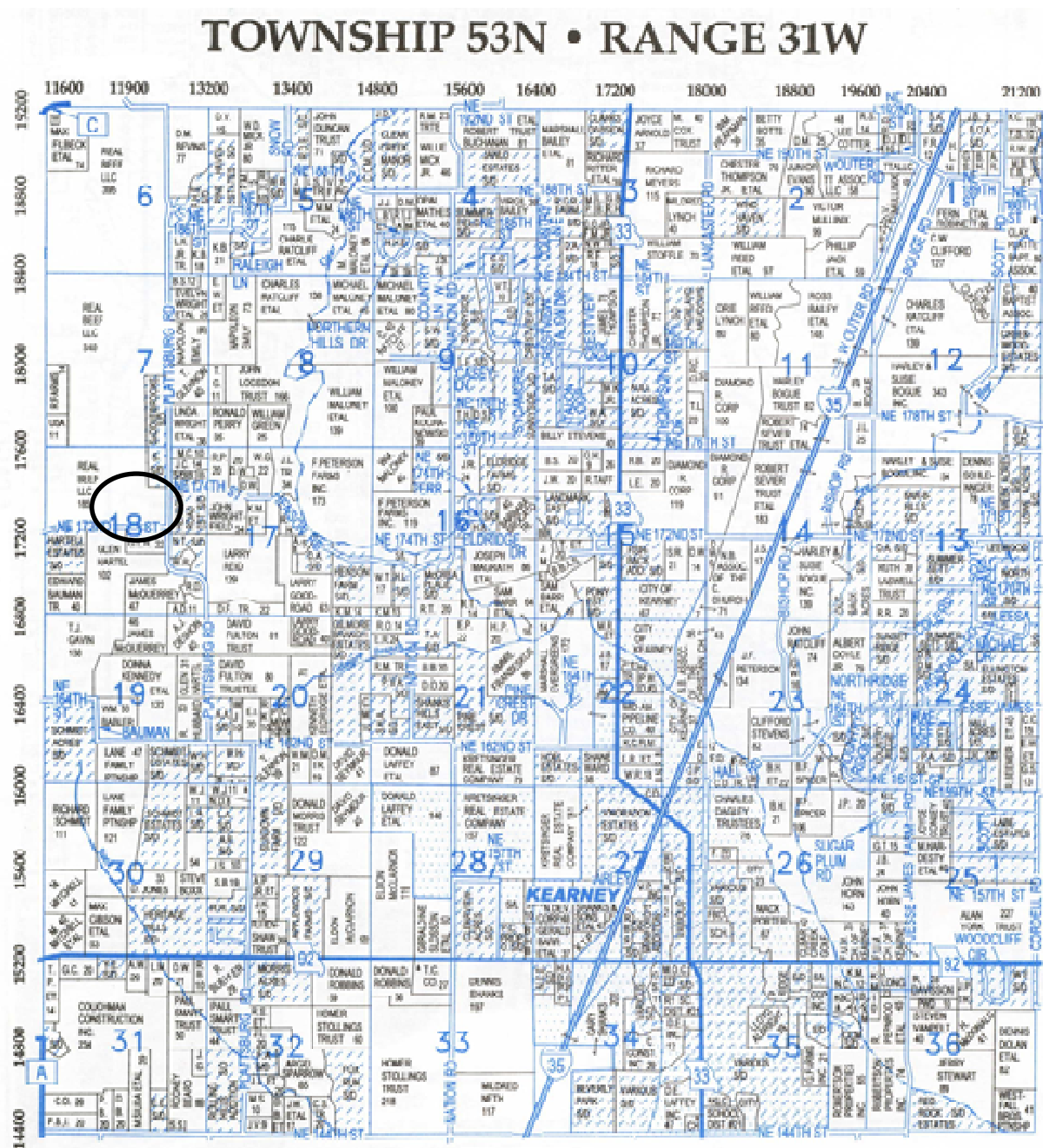
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- a. ADD: A 15' Recreational Easement within the first 15' of the standard 30' UE along Plattsburg Road, and standard trail dedication language within the dedication block.
- b. ADD NOTE: *"There shall be no clearing, grading, construction or disturbance of vegetation in the stream setback easement except as permitted by Clay County."*
- c. CORRECT: The 100' Building Line changed to 50' Building Line.



## Attachments

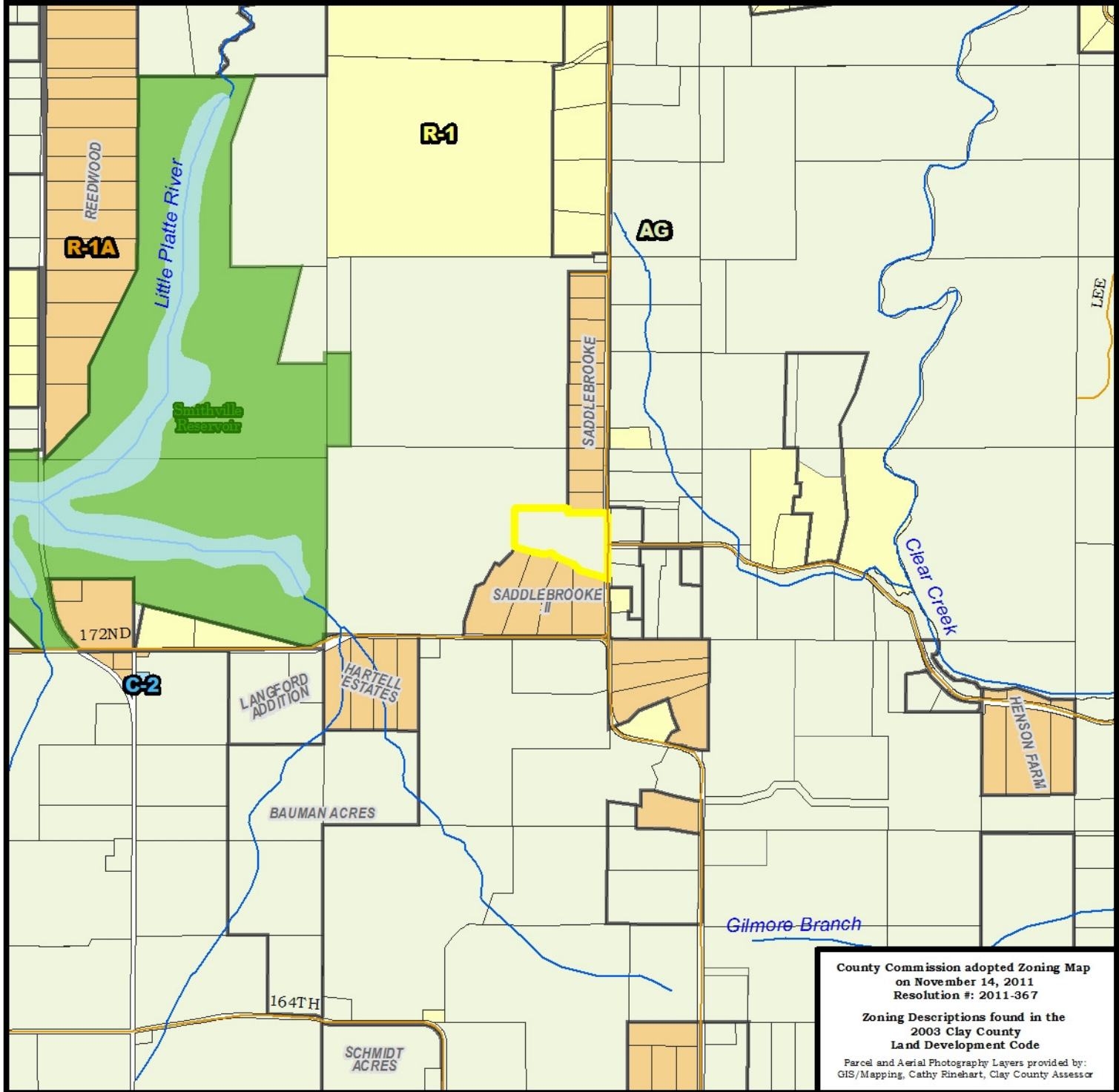
# Attachment A - Vicinity Map





# July 12-113F - Tranquil Acres

## Attachment B -Existing Conditions Map



County Commission adopted Zoning Map  
on November 14, 2011  
Resolution #: 2011-367

Zoning Descriptions found in the  
2003 Clay County  
Land Development Code

Parcel and Aerial Photography Layers provided by:  
GIS/Mapping, Cathy Rinehart, Clay County Assessor

### Planning & Zoning Department



1 inch = 2,000 feet  
1 inch = 0.38 miles

### LEGEND

Tranquil Acres

parcel

Streams (EPA)

Railroads

Roads

Interstates

State Highways

Local Roads

Highway Ramps

Overlay Districts

CD (Conservation District)

PUD (Planned Unit Development)

Subdivisions

County Boundaries

2011 City Limits

Parks

Zoning Districts

AG

R-1

R-1A

R-1B

R-3

R-5

C-1

C-2

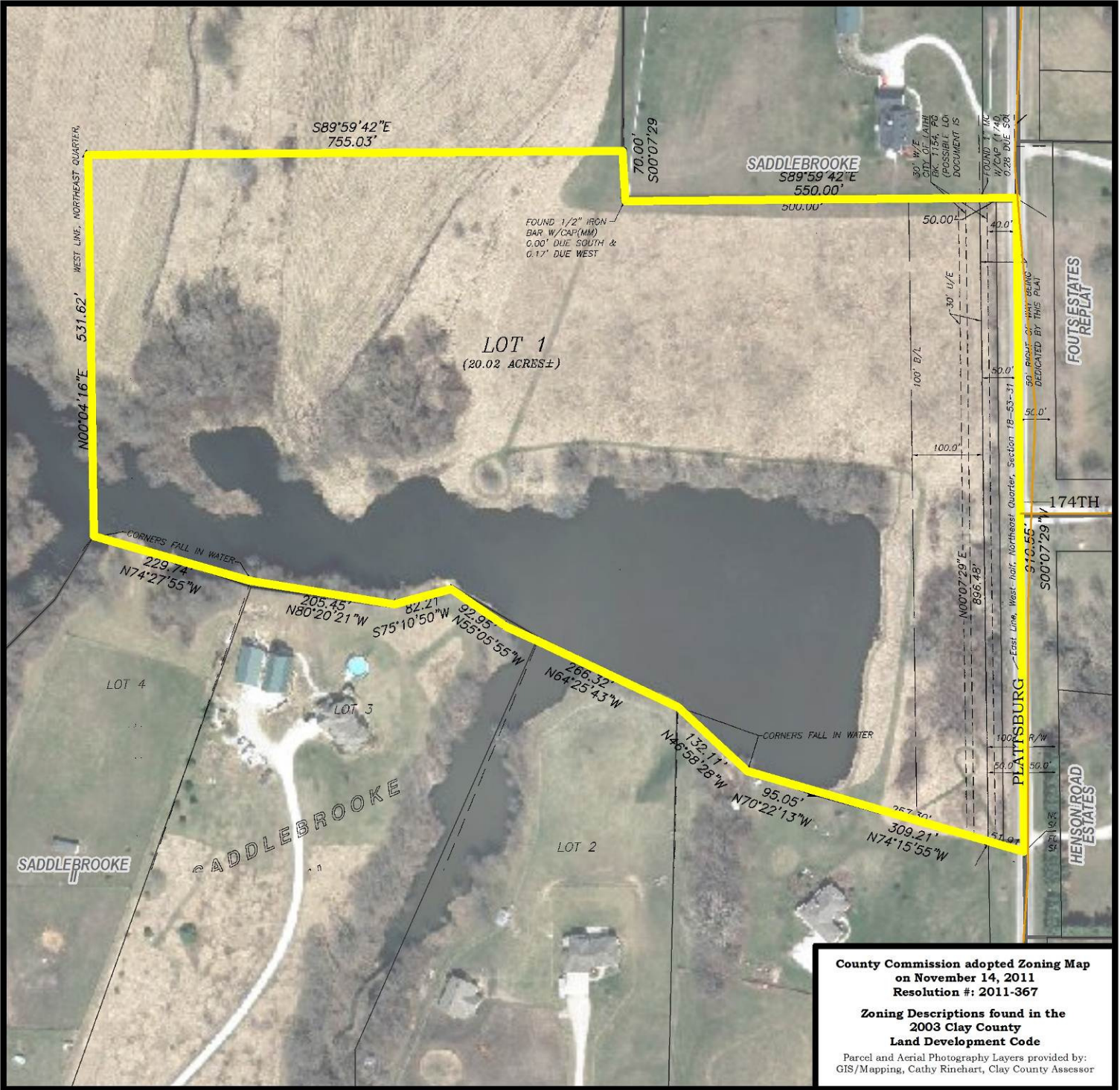
C-3

I-1

I-2

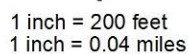
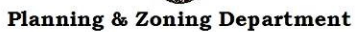
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## Attachment C -Site Plan Map

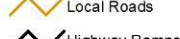
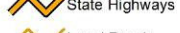
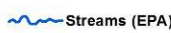


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Parcel and Aerial Photography Layers provided by:  
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 **Tranquil Access**



## OVERLAY



PUD (Planned Unit Development)

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County Boundaries

2011 City Limits

